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A.G. Farnell
20 Straub Lane
Petaluma CA 94952
6/7/93

Dear Sir --

MMB ENFORCEMENT
INVESTIGATIONS & COMPLAINTS
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Thank you for sending the Mobile Act of 1992. From what I gather, the "spirit" of the Act is to include more local nonduplicative educational stations, and to avoid duplicative stations completely. Our local Viacom monopoly, which now has an injunction it apparently hopes to lose (or it wouldn't have been based upon a false premise), has given us a most insulting list of proposed broadcasts, saying that you say they must carry them.

From my reading of the act, a local noncommercial educational (NCE) station is one that must be licensed as such and be owned/operated by an entity that is eligible for grants from the Corporation for Public Broadcasting. By any stretch of the imagination, can this latter refer to totally religious broadcasting? Also, are the foreign language broadcasts eligible for such grants?

My cable box has numbers from 2 to 36, and 4 are unusable because they are pay-TV, leaving 31. (Two more exist, but they are on 1 and 37.) If we exclude the major networks, which are usually reruns of reruns which were bad to start with -- and have duplicative news stations -- channels 2,4,5 and 7 -- which I could get without Cable -- what they propose to leave me is a combination of Preview Guide and C-Span (the latter at hours no working person could view, excluding weekends too) -- then channels 9, 20 and 22 (PBS, much duplication) -- and channel 50, which I could get anyway (KFTY). This leaves 44 (repetitive movies), TNT, A&E (which is mainly War or Carolyn's Comedy always), TBS, USA, and Lifetime. (The latter is nothing but medical programming on Sundays.) They take off channel 54 (which has less duplicative programming, more British comedies) and leave MTV (music-to-kill-by), and 14 and 26 are both, I think, foreign language (do we really need Farsi?) plus I'm not sure whether 48 alone is religious or both that and 38. 31 (Community Access) gives us the California Assembly only between 11 AM and 4 PM, the rest of the time usually local ads or announcements, only occasionally a city council meeting. 32 is divided between CNBC and Headline News, which we really don't need if we have CNN. 34 is American Movie Classics, which has yet to put on a movie I haven't seen -- and many times runs the same movies again and again. 35 is split between Comedy Central and VH-1 (more music-to-kill-by) and 36 splits

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the Discovery Channel (DSC) with a shop-at-home channel -- even though 33 is already a shop-at-home full time. Despite the fact that sometimes 4 stations at once have nothing but long sports on them, we get 14 (ESPN) which is constant sports, then 16 is sports -- sometimes pay, sometimes not.

I think you get my point -- that we are about to be deluged with trash in an effort to force us to watch high-paying ad-carrying stations (which, if we wanted to watch, we'd not need Cable for). The duplication on stations alone is bad enough, but then other stations repeat these same duplications on the next night or during the next week. It seems they share the same old movie, for instance, one station after another, during a period of a week or two.

What really burns me up is that I'm old enough to know what was good in the 1940's etc. -- and that the best movies are never run, and good foreign films are entirely overlooked. It is not as though this is all they have to select from -- what they give us -- They select the worst.

The way I read your ruling, on page 5, is that Viacom is breaking it by "dividing" channels. You say they must "carry the entirety of the program schedule of any TV station carried on the cable system" and that this "applies to all television stations carried, including retransmission consent and must-carry stations." How, then, can they carry only so-many-hours of The Discovery Channel, C-Span, or anything else that broadcasts 24 hours a day? Isn't this illegal?

I have no objection to religious people broadcasting as much as they want, but not on government money or on my money. I do not want to be subjected to constant religion, constant music-to-kill-by, constant violent sports, and constant shop-at-home. The only reason I get Cable is for C-Span and the occasional movie I might get somewhere, if I'm lucky.

What is a "pure video dial tone provider" and is it an alternative to cable?

If I understand your ruling correctly, a cable station like mine, if it has met the quota of 3 educational stations, need not carry any station which "by default" falls into the must-carry group, right?

I would appreciate any help you can give me, as the people in this area are extremely angry. ~~They want to dump~~ cable completely and just set up their own neighborhood ~~satellites~~. The satellites would "belong to" the property.

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Sincerely,

Yes. A. J. Lammell